

REMARKS

The Examiner has issued an Official Action requiring restriction between six groups of inventions. The groups identified by the Examiner are:
Applicants respectfully traverse this restriction requirement.

Group I-claims 1-2, 4-7, 31, 35, 41-46 and 49 drawn to a compound and composition.

Group II-claim 8-drawn to a process for the preparation of a compound.

Group III- claim 9-drawn to another process for the preparation of a compound.

Group IV-claims 10-20 and 47-48 drawn to another process for the preparation of a compound.

Group V-claims 32 and 36 drawn to a pharmaceutical composition.

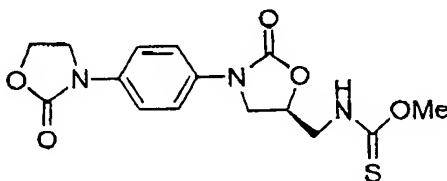
Group VI-claim 33-34, 37-38 and 50-51 drawn to a method of treating infection.

Applicants traverse this requirement and submit that all of the claims should be examined in this application.

It is also submitted that the groups identified by the Examiner be reformulated. Firstly, claims 32 and 36 (the claims of Group V) should be added to Group I. Group I includes the pharmaceutical compositions claim 31 and 35. The composition Claims 32 and 36 depend from claims 31 and 35 respectively and as such should be examined with claims 31 and 35. Secondly, the claims of Group VI should be combined with Group I. If the compound claims are allowable then the use claims should also be allowable because uses of new and nonobvious compounds are novel and nonobvious. In addition, although there is the possibility of rejoinder of a process claim, it is submitted that if the claims of Group I are allowable then all the process claims should be rejoined.

To expedite prosecution applicants provisionally elect the claims of group I, however, as stated above claims 32 and 36 and the claims of Group VI, namely 33-34, 37-38 and 50-51 should be added to this group.

The species of the structure



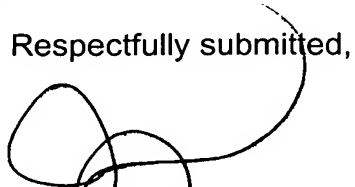
is elected.

Claims 1, 6, 19, 31-38, 50 and 51 read on the species.

Applicants preserve all rights to file one or more divisional applications directed to the subject matter of the nonelected claims and/or any other subject matter disclosed in the specification.

Applicants submit that the present application is in condition for allowance and favorable consideration is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, consisting of a large, stylized 'C' that loops around and ends with a horizontal stroke.

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